

## REMARKS

Prosecution of this case filed in December 2001 is winding down. The Examiner's patience during this lengthy prosecution is very much appreciated. The remaining three claims rejected are 6, 7 and 15. The Examiner contends these claims are anticipated by Ström. The Examiner offers his helpful observations as to this conclusion in paragraphs 8-11 of the Final Office Action. Of most interest are the comments in paragraph 11 where the Examiner contends that claims 6 and 15, as they now stand are not limited to a telescoping joint. While Applicant feels otherwise, in view of the long prosecution of the case, Applicant has made a further amendment to make it more explicit that it is in fact a telescoping joint that telescopes in operation that is being claimed and not a stationary joint that simply has its two components telescoped together to make the joint up. First, Applicant directs the Examiner's attention to the preexisting language in claims 6 and 15 that is identical. That language states: "a first and second nested tubular members slidably mounted with respect to each other and defining an annular space therebetween;" This means that when the tubular members reach the mounted condition they retain their ability to slide with respect to each other. In the cited reference, the only sliding going on is when the joint is assembled. When the joint is assembled is when the components of it can be said to be "mounted". At any point short of that, they can simply fall away from each other and are not mounted. Again, in view of the lengthy prosecution and the consideration afforded by the Examiner during the process, Applicant has elected to amend to make what was perhaps too subtle a statement as to what was being claimed as a

more direct structural, as opposed to functional, statement. Accordingly, claims 6 and 15 state that the seal seals the annular space when the tubulars are under pressure and move with respect to each other. The cited reference indicates a utility for sewer pipe applications where it could be debated if there is much if any internal pressure but it is beyond debate that such a joint had better not telescope after assembly or it will leak. The claimed joint is designed to tolerate relative movement after assembly and seal the annular space. The remaining three claims are not anticipated by this reference.

The remaining claims are submitted to be in allowable condition over the cited art.

Respectfully submitted,



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Signature: Rita Kompa  
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